



ACQUISITION AND
TECHNOLOGY

DP(DAR)

OFFICE OF THE UNDER SECRETARY OF DEFENSE

3000 DEFENSE PENTAGON
WASHINGTON DC 20301-3000

August 20, 1997



In reply refer to
DFARS Case: 97-D013
D. L. 97-016

MEMORANDUM FOR DIRECTORS OF DEFENSE AGENCIES
DEPUTY FOR ACQUISITION AND BUSINESS MANAGEMENT,
ASN(RD&A)/ABM
DEPUTY ASSISTANT SECRETARY OF THE AIR FORCE
(CONTRACTING), SAF/AQC
ASSISTANT DEPUTY ASSISTANT SECRETARY OF THE ARMY
(PROCUREMENT)/DIRECTOR FOR CONTRACTING
DEPUTY DIRECTOR (ACQUISITION), DEFENSE LOGISTICS AGENCY

SUBJECT: Revision of DFARS Regarding Contract Action Reporting

We have amended the Defense Federal Acquisition Regulation Supplement (DFARS) to revise DD Form 350 and DD Form 1057 contract action reporting requirements to comply with the Clinger/Cohen Act of 1996 (Pub. L. 104-106) and to enhance data collection procedures.

The attached final DFARS rule is effective on October 1, 1997, and will be included in a future Defense Acquisition Circular.

Eleanor R. Spector
Director, Defense Procurement

Attachment

cc: DSMC, Ft. Belvoir

Final Rule
DFARS Case 97-D013
Revision of DFARS Regarding Contract Action Reporting

SUBPART 204.6 CONTRACT REPORTING

204.600 Scope of subpart.

* * *

204.670 Defense Contract Action Data System (DCADS).

* * * * *

204.670-2 Reportable contracting actions.

☒ • * * *

(c) ~~c. Do not report on a DD Form 350, contingency actions defined in 213.101. Summarize these actions on 3~~
[on the monthly] DD Form 1057[,] in accordance with the instructions in 253.204-71(a)(3) [, contracting actions that support a contingency operation (see 213.000) and that obligate or deobligate funds exceeding \$25,000 but not exceeding \$200,000].

* * * * *

253.204 Administrative matters.

* * * * *

253.204-70 DD Form 350, Individual Contracting Action Report.

* * * * *

(b) Part B of the DD Form 350.

* * * * *

(10) BLOCK B10, MULTIYEAR CONTRACT.

Enter one of the following codes:

(i) Code Y- Yes. Enter code Y when the contracting action is a multiyear contract as defined at FAR 17.101[103]. Do not report contracts containing options as multiyear unless the definition at FAR 17.101[103] applies to the contract.

* * * * *

(13) BLOCK B13, KIND OF CONTRACTING ACTION.

* * * * *

(i) BLOCK B13A, CONTRACT/ORDER

• • * * *

(C) Code 4 - Order under an Agreement.

Enter code 4 when the contracting action is an order or definitization of an order under an agreement [other than a blanket purchase agreement]. Examples include an order exceeding \$25,000 under a basic ordering agreement or a

master ship repair agreement and a job order when the contract is created by issuing the order. ~~A blanket purchase agreement call is coded 6 or 9, as appropriate.~~ [A call under a blanket purchase agreement associated with a Federal Supply Schedule, pursuant to FAR 13.202(c)(3), is coded 6. A call under other blanket purchase agreements, pursuant to FAR Subpart 13.2, is coded 9.] When the contracting action is a modification to an order described in code 4 instructions, enter code 4 in B13A.

* * * * *

(G) Code 9 - Purchase [Order]/[Call]
~~Using Simplified Acquisition Procedures.~~ Enter code 9 if the contracting action, including an action in a designated industry group under the Small Business Competitiveness Demonstration Program (FAR Subpart 19.10), is an award pursuant to FAR Part 13, except when the contracting action is a blanket purchase agreement call pursuant to FAR 13.202(c)(3) (see code 6). When the contracting action is a modification to a [purchase] order/call described in code 9 instructions, enter code 9 in B13A.

* * * * *

[(14) BLOCK B14, CICA APPLICABILITY.

Enter one of the following codes:

(i) Code A - Pre-CICA. Enter code A if the action resulted from a solicitation issued before April 1, 1985. Modifications within the original scope of work of such awards and orders under pre-CICA indefinite delivery type contracts are reported as pre-CICA. In the case of modifications issued on or after April 1, 1985, coded A in B13 or B13D, as appropriate, CICA is applicable to the modification, and these actions shall be coded B in Block B14.

(ii) Code B - CICA Applicable. Enter code B if the action resulted from a solicitation issued on or after April 1, 1985, and none of the following codes applies.

(iii) Code C - Simplified Acquisition Procedures Other than FAR Subpart 13.6. Enter code C if the action resulted from use of the procedures in FAR Part 13, other than those in Subpart 13.6.

(iv) Code D - Simplified Procedures
Pursuant to FAR Subpart 13.6. Enter code D if the action
resulted from use of the procedures in FAR Subpart 13.6.]

(c) Part C of the DD Form 350.

(1) Part C gathers data concerning contracting procedures, use of competition, financing, and statutory requirements other than socioeconomic (which are in Part D).

(2) Do not complete Part C if the contracting action is an action with a government agency, i.e., Block B5B (Government Agency) is coded Y (Yes). **[If Block B13A is coded 6, do not complete any blocks in Part C except Block C3, and Blocks C13A and C13B when they apply.]**

* * * * *

(4) Complete Part C blocks as follows-

* * * * *

(xi) BLOCK C11, CERTIFIED COST OR PRICING DATA.

Enter one of the following codes when Block B1B is coded A. Otherwise, leave blank.

(A) Code Y - Yes - Obtained. Enter code Y when ~~certified cost or pricing data were obtained for the contracting action~~ ~~granted~~ (see FAR 15.804-2) **[and certified in accordance with FAR 15.804-4].**

(B) Code N - No - Not Obtained. Enter code N when ~~certified cost or pricing data were not obtained because data were not required (see FAR 15.804-2) or an exemption was granted (see FAR 15.804-3(a) - (g))~~ **[neither Code Y nor Code W applies].**

(C) Code W - Not Obtained - Waived. Enter code W when ~~certified cost or pricing data were not obtained because the requirement was waived (see FAR 15.804-3(i))~~ **[1(a) (3)]** and ~~DFARS 215.804-3(i))~~ **[1(b) (4)].**

* * * * *

(d) Part D of the DD Form 350.

* * * * *

(5) Complete Part D blocks as follows:

* * * * *

(vii) BLOCK D7 - SMALL BUSINESS INNOVATION RESEARCH (SBIR) PROGRAM. Enter one of the following codes. When Block B1B is coded B or C and Block B13A is coded 5, leave Block D7 blank.

(A) Code A - Not an [a] SBIR Program Phase I/II [/III]. Enter code A if the action is not in support of a Phase I [,] ~~or~~ II [, or III] SBIR program.

* * * * *

[(D) Code D - SBIR Program Phase III Action. Enter code D if the action is related to a Phase III contract in support of the SBIR Program.]

* * * * *

(e) *Part E of the DD Form 350.*

* * * * *

(4) BLOCK E4 - [CONTINGENCY OPERATION. Enter code Y in Block E4 if the contracting action is in support of a contingency operation, as defined in 213.101, and the action exceeds the simplified acquisition threshold for contingency operations (see 213.000). Otherwise, leave Block E4 blank.

(5) BLOCK E5 -] BLOCK E8 - RESERVED.
* * * * *

253.204-71 DD Form 1057, Monthly Contracting Summary of Actions \$25,000 or Less.

(a) *Scope of subsection.*
* * * * *

(3) ~~Include~~ [Report] actions [of \$25,000 or less] in support of a contingency operation [in accordance with the instructions in paragraphs (c) through (j) of this subsection. Report actions exceeding \$25,000 but not exceeding \$200,000 in support of a contingency operation] (see 213.000) on the [monthly] DD Form 1057 as follows:

(i) ~~Section A, complete fully.~~

~~(ii)~~ Section B, ~~complete only~~ [the applicable] lines [are] 5, 5a, 7, and 7a.

~~(iii)~~ [(ii) 1 Section C, ~~complete only~~ [the
applicable lines [are] 1 and 1c, 2 and 2c, [and] ~~or~~ 3 and
3c, as applicable].

~~(iv)~~ [(iii)] Sections D, E, and F, ~~leave~~
blank [are not applicable].

~~(v)~~ [(iv)] Section G, complete fully.

~~(vi)~~ ~~Section H, complete fully.~~

* * * * *

253.303-350 (See attached)

INDIVIDUAL CONTRACTING ACTION REPORT						REPORT CONTROL SYMBOL	
PART A	A1. TYPE OF REPORT 0 Original 1 Cancelling 2 Correcting		A2. REPORT NO.	A3. CONTRACTING OFFICE CODE	A4. NAME OF CONTRACTING OFFICE		
	B1. CONTRACT IDENTIFICATION INFORMATION B1A. CONTRACT NUMBER			B1B. ORIGIN OF CONTRACT A DoD B NASA C Other Non-DoD Agency		B2. MODIFICATION, ORDER OR OTHER ID NUMBER	B3. ACTION DATE (YYYYMMDD)
PART B							
	B5. CONTRACTOR IDENTIFICATION INFORMATION						
B5A. CONTRACTOR IDENTIFICATION NUMBER		B5D. CONTRACTOR NAME AND DIVISION NAME			B5E. CONTRACTOR ADDRESS (Street, City, State, Zip Code)		
B5B. GOVERNMENT AGENCY Y Yes N No		B5C. CAGE CODE					
B5F. TIN		B5G. PARENT TIN		B5H. PARENT NAME			
B6. PRINCIPAL PLACE OF PERFORMANCE		B6A. CITY OR PLACE CODE		B6B. STATE OR COUNTRY CODE		B6C. CITY OR PLACE AND STATE OR COUNTRY NAME	
B7. TYPE OBLIGATION 1 Obligation 2 Deobligation		BB. TOTAL DOLLARS (Enter whole dollars only)		B9. FOREIGN MILITARY SALE Y Yes N No		B10. MULTIYEAR CONTRACT Y Yes N No	
B11. TOTAL MULTIYEAR VALUE (Enter whole dollars only)							
B12. PRINCIPAL PRODUCT OR SERVICE		B12A. FSC OR SVC CODE		B12B. DOD CLAIMANT PROGRAM CODE		B12C. PROGRAM, SYS. TEM OR EQUIP. CODE	
B12D. SIC CODE		B12E. NAME/DESCRIPTION					
B13. KIND OF CONTRACTING ACTION		B13B. TYPE OF INDEFINITE DELIVERY CONTRACT		B13C. MULTIPLE/SINGLE AWARD IDC(S)		B14. CICA APPLICABILITY	
B13A. CONTRACT/ORDER 1 Letter Contract 2 Definitive Contract 3 Order under an Agreement 4 Order under Indefinite Delivery Contract (IDC) 5 Order/Call under Federal Schedule 6 Order from Procurement List 7 Purchase Order/Call		A Requirements Contract (FAR 52.216-21) B Indefinite Quantity Contract (FAR 52.216-22) C Definite Quantity Contract (FAR 52.216-20)		B13D. MODIFICATION A Additional Work (new agreement) B Additional Work (other) C Funding Action D Change Order E Termination for Default		F Termination for Convenience G Cancellation H Exercise of an Option J Definition of a Letter Contract	
						A Pre-CICA B CICA Applicable C Simplified Acquisition Procedures Other than FAR Subpart 13.6 D Simplified Procedures Pursuant to FAR Subpart 13.6	
PART C (Do Not Complete This Part If Block B5B is Coded Y)							
C1. SYNOPSIS A Synopsis Only B Combined Synopsis/ Solicitation N No		C2. REASON NOT SYNOPSIS A Urgency B Use of FACNET Z Other Reason		C3. EXTENT COMPETED A Completed Action B Not Available for Competition C Follow-on to Completed Action D Not Completed		C4. SEA TRANSPORTATION Y Yes - Positive Response to OFARS 252.247-7022 or 252.212-7000(c)(2) N No - Negative response to DFARS 252.247-7022 or 252.212-7000(c)(2)	
C5. TYPE OF CONTRACT J Fixed-Price Redetermination K Firm-Fixed-Price L Fixed-Price Economic Price		L Fixed-Price Incentive M Cost-Plus-Award-Fee N Cost Contract		T Cost-Sharing U Cost-Plus-Fared-Fee V Cost-Plus-Incentive-Fee		C6. NUMBER OF OFFERS SOLICITED 1 One 2 More than One	
C7. NUMBER OF OFFERS RECEIVED							
C8. SOLICITATION PROCEDURES A Full & Open Competition - Sealed Bid B Full & Open Competition - Competitive Proposal C Full & Open Competition Combination D Architect - Engineer E Basic Research		F Multiple Award Schedule G Alternative Sources H Set-Aside I Reserved N Other than Full & Open Competition		C9. AUTHORITY FOR OTHER THAN FULL & OPEN COMPETITION 1A Unique Source 1B Follow-on Contract 1C Unsolicited Research Prop 1D Patent/Data Rights 1E Utilities		1F Standardization 1G Only One Source - Other 2A Urgency 3A Particular Sources 4 A International Agreement	
5A Authorized by Statute 5B Authorized Resale 6A National Security 7A Public Interest							
C10. SUBJECT TO LABOR STANDARDS STATUTES A Walsh-Healey Act B Davis-Bacon Act C Service Contract Act Z Not Applicable		C11. CERTIFIED COST OR PRICING DATA Y Yes - Obtained N No, Not Obtained W Not Obtained - Waived		C12. CONTRACT FINANCING A FAR 52.232-16 B DFARS 252.232-7003 C Percentage of Completion PP D Unusual PP or AP E Commercial Financing F Performance-Based Financing Z Not Applicable			
C13. FOREIGN TRADE DATA		C13A. PLACE OF MANUFACTURE A U.S. B Foreign		C13B. COUNTRY OF ORIGIN CODE		C14. COMMERCIAL ITEMS Y Yes - FAR 52.212-4 Included N No - FAR 52.212-4 Not Included	
PART D (Do Not Complete This Part If Block B5B is Coded Y, or If Block B13A is Coded 6)							
D1. TYPE OF BUSINESS A Small Disadvantaged Business Performing in U.S. B Other Small Business Performing in U.S. C Large Business Performing in U.S. D JWOD Participating Nonprofit Agencies F Hospital		L Foreign Concern/Entity M Domestic Firm Performing Outside U.S. U Historically Black Colleges and Universities or Minority Institutions (HBCU/MI) V Other Educational Z Other Nonprofit		D2. REASON NOT AWARDED TO SMALL DISADVANTAGED BUSINESS (SDB) A No Known SDB Source B SDB Not Solicited C SDB Solicited/No Offer D SDB Solicited/Offer Not Low Z Dthrr Reason.		D3. REASON NOT AWARDED TO SMALL BUSINESS (SB) A No Known SB Source B SE Not Solicited C SB Solicited/No Offer D SB Solicited/Offer Not Low Z Other Reason	
D4. PREFERENCE PROGRAM		D4A. TYPE OF SB SET-ASIDE A None B Total SB Set-Aside C Partial SB Set-Aside E Total SDB Set-Aside Y Emerging Small Business Set-Aside		D4B. TYPE OF SDB SET-ASIDE/SDB PREFERENCE A No M B Section 8(a) C Total SDB Set-Aside D SDB Evaluation Preference Unrestricted		D4C. HBCU/MI SET-ASIDE A None B HBCU or MI - Total Set-Aside C HBCU or MI - Partial Set-Aside	
D4D. RESERVED		D4E. PREMIUM PERCENT					
D5. ETHNIC GROUP A Asian-Indian American B Asian-Pacific American C Black American D Hispanic American		E Native American F Other SOB Certified/ determined by SBA Z No Representation		D6. WOMEN-OWNED BUSINESS Y Yes N No U Uncertified		D7. SMALL BUSINESS INNOVATION RESEARCH (SBIR) PROGRAM A Not . SBIR Program Phase I/II/III B SBIR Program Phase I Action C SBIR Program Phase II Action D SBIR Program Phase III Action	
D8. SUBCONTRACTING PLAN - SB, SOB, OR HBCU/MI A Plan Not Included B Plan Not Required C Plan Required. Incentive Not Included D Plan Required. Incentive Included							
D9. DEMONSTRATION TEST PROGRAM Y Yes N No		D10. SIZE OF SMALL BUSINESS A 50 or Fewer B 51 - 100 C 101 - 250 D 251 - 500		NUMBER OF EMPLOYEES E 501 - 750 F 751 - 1,000 G Over 1,000		or AVERAGE ANNUAL GROSS REVENUE (\$) M 1,000,000 or Less N 1,000,001 - 2,000,000 P 2,000,001 - 3,500,000 R 3,500,001 - 5,000,000	
S 5,000,001 - 10,000,000 T 10,000,001 - 17,000,000 U Over 17,000,000						D11. EMERGING SMALL BUSINESS Y Yes N No	
PART E		E1		E2		E3	
E4		E5		E6		E7	
E8							
PART F		F1. NAME OF CONTRACTING OFFICER OR REPRESENTATIVE		F2. SIGNATURE		F3. TELEPHONE NO.	
F4. DATE (YYYYMMDD)							

DFARS Case 97-D014
Single Process Initiative
Interim Rule

PART 211--DESCRIBING AGENCY NEEDS

* * * * *

211.273 Substitutions for military or Federal specifications and standards.

211.273-1 Definition.

"SPI process," as used in this section, is defined in the clause at 252.211-7005, Substitutions for Military or Federal Specifications and Standards.

211.273-2 Policy.

- (a) Under the Single Process Initiative (SPI), DoD accepts SPI processes in lieu of specific military or Federal specifications or standards that specify a management or manufacturing process.
- (b) DoD acceptance of an SPI process follows the decision of a Management Council, which includes representatives from the Defense Contract Management Command, the Defense Contract Audit Agency, and the military departments.
- (c) In procurements of previously developed items, SPI processes that previously were accepted by the Management Council shall be considered valid replacements for military or Federal specifications or standards, absent a specific determination to the contrary (see 211.273-3(c)).

211.273-3 Procedures.

- (a) Solicitations for previously developed items shall encourage offerors to identify SPI processes for use in lieu of military or Federal specifications and standards cited in the solicitation. The solicitation shall require an offeror proposing to use an SPI process to include, in its response to the solicitation, documentation of the Government acceptance of the process.
- (b) Contracting officers shall ensure that--
 - (1) Concurrence of the requiring activity has been or will be obtained for any proposed substitutions prior to contract award; and

- (2) Any necessary additional information regarding the SPI process identified in the proposal is obtained from the cognizant administrative contracting officer.
- (c) Any determination that an SPI process is not acceptable for a specific procurement shall be made at the head of the contracting activity or program executive officer level. This authority may not be delegated.

211.273-4 Contract clause.

Use the clause at 252.211-7005, Substitutions for Military or Federal Specifications and Standards, in solicitations and contracts exceeding the micro-purchase threshold, when procuring previously developed items.

* * * * *

PART 242--CONTRACT ADMINISTRATION

* * * * *

242.302 Contract administration functions.

(a) * * *

- (S-70) Serve as the single point of contact for all Single Process Initiative (SPI) Management Council activities. The ACO shall negotiate and execute facilitywide class modifications and agreements for SPI processes, when authorized by the affected components.

* * * * *

PART 252--SOLICITATION PROVISIONS AND CONTRACT CLAUSES

* * * * *

252.211-7005 Substitutions for Military or Federal Specifications and Standards.

As prescribed in 211.273-4, use the following clause:

SUBSTITUTIONS FOR MILITARY OR FEDERAL SPECIFICATIONS AND STANDARDS (AUG 1997)

- (a) *Definition.* "SPI process," as used in this clause, means a management or manufacturing process that has been accepted previously by the Department of Defense under the Single Process Initiative (SPI) for use in lieu of a specific military or Federal specification or standard. Under SPI, these processes are reviewed and accepted by a Management Council, which includes representatives from

the Defense Contract Management Command, the Defense Contract Audit Agency, and the military departments.

- (b) Offerors are encouraged to propose SPI processes in lieu of military or Federal specifications and standards cited in the solicitation.
- (c) An offeror proposing to use an SPI process shall--
 - (1) Identify the specific military or Federal specification or standard for which the SPI process has been accepted, and the specific paragraph or other location in the solicitation where the military or Federal specification or standard is required;
 - (2) Provide a copy of the Department of Defense acceptance of the SPI process;
 - (3) Identify each facility at which the offeror proposes to use the specific SPI process; and
 - (4) Unless provided in response to paragraph (c) (2) of this clause, provide the name and telephone number of the cognizant Administrative Contracting Officer for each facility where the SPI process is proposed for use.
- (d) Absent a determination at the head of the contracting activity or program executive officer level that an SPI process is not acceptable for this procurement, the Contractor shall use the following SPI processes in lieu of military or Federal specifications and standards:

(Offeror insert information for each SPI process)

SPI Process: _____

Facility: _____

Military or Federal
Specification or Standard: _____

Affected Contract Line
Item and Subline Item Number
and Requirement Citation: _____

Cognizant Administrative
Contracting Officer: _____

(End of clause)